



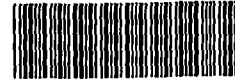
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

MAR 14 2007

Notification of Potential Liability ("General Notice"),
Notification of Decision Not to Use Special Notice Procedures and
Required Submission of Information Pursuant to CERCLA § 104(e)

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Isolite Corporation
4150-A Berwick Rd.
Bloomsburg, PA 17815



SDMS DocID 2085883

Attn: William E. Lynch, Chief Executive Officer

Re: Safety Light Corporation, Columbia County, Pennsylvania

Dear Mr. Lynch:

This letter notifies you that Isolite Corporation ("Isolite" or "you/your company") may incur, and/or may have incurred, liability under Section 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9607(a), with respect to the Safety Light Corporation Site ("Site") located in Bloomsburg, Pennsylvania. This letter also notifies you of potential response activities at the Site, which you may be asked to perform or pay for at a later date if the United States Environmental Protection Agency ("EPA") performs them.

Under CERCLA, commonly known as the federal "Superfund" law, the EPA is responsible for responding to the release or threat of release of hazardous substances, pollutants or contaminants into the environment – that is, for stopping further contamination from occurring and for cleaning up or otherwise addressing any contamination that has already occurred. EPA has documented that such a release has occurred at the Site. EPA has spent, or is considering spending, public funds to investigate and control releases of hazardous substances or potential releases of hazardous substances at the Site. Based on information presently available to EPA, EPA has determined that Isolite Corporation may be responsible under CERCLA for cleanup of the Site or costs EPA has incurred in cleaning up the Site.

As you are aware, activities at the Site have varied over time and involved the use of a number of different radionuclides and other hazardous substances. In 1948, the United States Radium Corporation's radium operations were relocated from Brooklyn, New York to the Site. In 1980, the former U.S. Radium Corporation was restructured into six companies. As a result of this restructuring, the name of the former U.S. Radium was changed to Safety Light Corporation, and the following five corporations were created with assets from the former U.S. Radium Corporation: USR Industries, Inc., USR Chemicals, Inc., USR Lighting, Inc., USR Metals, Inc., and U.S. Natural Resources, Inc. The Site has been investigated over the years and has documented radiological and chemical contamination in soil, groundwater, buildings, and sediments.

EXPLANATION OF POTENTIAL LIABILITY

Under CERCLA, specifically Sections 106(a) and 107(a), potentially responsible parties ("PRPs") may be required to perform cleanup actions to protect the public health, welfare, or the environment. PRPs may also be responsible for costs incurred by EPA in cleaning up the Site, unless the PRP can show divisibility or any of the other statutory defenses. PRPs include current and former owners and operators of a site, as well as persons who arranged for treatment and/or disposal of any hazardous substances found at the site, and persons who accepted hazardous substances for transport and selected the site to which the hazardous substances were delivered.

Based on the information collected, EPA believes that Isolite Corporation may be liable under Section 107(a) of CERCLA with respect to the Safety Light Corporation Site, as an arranger for treatment and/or disposal of hazardous substances, including radionuclides, at the Site.

SITE RESPONSE ACTIVITIES

To date, EPA has taken several response actions at the Site under the authority of the Superfund Program. Below is a brief description of the actions taken at the Site.

- A Preliminary Assessment ("PA") and Site Investigation ("SI") in order to gain a basic understanding of any risks posed to human health and/or the environment by releases or threatened releases from the Site.
- A Removal Action, conducted to reduce the immediate threat to human health and the environment from the Silo waste.

EPA is conducting the Remedial Investigation at the Site to identify the Site characteristics and to define the nature and extent of soil, air, surface water, and groundwater contamination at the Site and the risks posed by the Site.

EPA may expend additional funds for response activities at the Site under the authority of CERCLA and other laws.

DECISION NOT TO USE SPECIAL NOTICE

This letter notifies you that EPA has decided not to use the settlement procedures set forth in Section 122 of CERCLA, 42 U.S.C. § 9622, for the completion of the Remedial Investigation/Feasibility Study at the above-referenced Site. EPA has determined that use of settlement procedures set forth in Section 122 of CERCLA would not be in the public interest at this time, would not facilitate an agreement between EPA and Isolite Corporation, and would not expedite the response actions required to complete the RI/FS for the Safety Light Corporation Site.

Section 122(a) of CERCLA, 42 U.S.C. § 9622(a), directs EPA to employ the settlement procedures outlined therein "[w]henever practicable and in the public interest" to "facilitate agreements . . . that are in the public interest and consistent with the National Contingency Plan in order to expedite effective remedial actions and minimize litigation." Section 122(e) of

CERCLA, 42 U.S.C. § 9622(e), prescribes a discretionary "special notice" moratorium for on-site activities during which EPA may negotiate settlements with responsible parties if the Agency determines that "a period of negotiation . . . would facilitate an agreement with potentially responsible parties for taking response action . . . and would expedite remedial action." Finally, Section 122(a) of CERCLA, 42 U.S.C. § 9622(a), requires that EPA notify potentially responsible parties ("PRPs") in writing if the Agency determines that the settlement procedures outlined in the section will not be used.

The preceding explanation of special notice and the negotiation moratorium procedure is for your general information about the Superfund process. It does not require any specific action on your part at this time.

REQUIRED SUBMISSION OF INFORMATION

Pursuant to the authority of Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. Section 9604(e), EPA has the authority to require Isolite Corporation to furnish all information and documents in your possession, custody or control, or in the possession, custody or control of any of your employees or agents, which concern, refer, or relate to hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. Section 9601(14), and pollutants and/or contaminants as defined by Section 101(33), 42 U.S.C. Section 9601(33), which were transported to, stored, treated, or disposed of at the above-referenced Site.

Section 104 of CERCLA authorizes EPA to pursue penalties for failure to comply with that section or for failure to respond adequately to required submissions of information. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. Section 1001. The information you provide may be used by EPA in administrative, civil, or criminal proceedings.

Instructions for responding to this required submission of information ("Information Request") are provided below.

INSTRUCTIONS

1. You may be entitled to assert a claim of business confidentiality covering any part or all of the information you submit. If you desire to assert a claim of business confidentiality, please see Enclosure 1, *Business Confidentiality Claims/Disclosure to EPA Contractors & Grantees of Your Response*. You must clearly mark such information by either stamping or using any other form of notice that such information is trade secret, proprietary, or company confidential. To best ensure that your intent is clear, we recommend that you mark as confidential each page containing such claimed information.
2. Please provide a separate, detailed narrative response to each question, and to each subpart of a question, set forth in this Information Request. If you fail to provide a detailed response, EPA may deem your response to be insufficient and thus a failure to comply with this Information Request, which may subject you to penalties.

3. Precede each response with the number of the question or subpart of the question to which it corresponds. For each document or group of documents produced in response to this Information Request, indicate by the number of the specific question(s) or subpart of the question(s) to which it responds.
4. Should you find at any time after submission of your response that any portion of the submitted information is false, misrepresents the truth or is incomplete, you must notify EPA of this fact and provide EPA with a corrected written response.
5. Any terms that are used in this Information Request and/or its Enclosures that are defined in CERCLA, shall have the meaning set forth in CERCLA. Definitions of several such terms are set forth in Enclosure 2, *Definitions*, for your convenience. Also, several additional terms not defined in CERCLA are defined in Enclosure 2. Those terms shall have the meaning set forth in Enclosure 2 any time such terms are used in this Information Request and/or its Enclosures.

Site records obtained from the Safety Light Corporation suggest that a close business arrangement existed between Safety Light Corporation and Isolite Corporation. Copies of Isolite price quotes and invoices have been provided to you, which may assist you in your research. Based on these documents, EPA believes that Isolite Corporation may have brokered, transported, and/or otherwise arranged for the shipment of materials containing hazardous substances, including tritium, to the Site for treatment, reclamation and/or disposal. Please provide the following information:

INFORMATION REQUESTED

Please answer the following questions in accordance with the Instructions set forth above.

1. Did Isolite ever transport or arrange for the transport of hazardous substances, including radionuclides and/or radioactive waste or other waste for storage, treatment, recycling, reclamation or disposal at the Site?
2. Did Isolite ever contract or arrange with any other party for the storage, treatment, recycling, reclamation or disposal of hazardous substances and/or radioactive waste or any other waste at the Site?
3. If you answered "yes" to Question 1 or Question 2, above, please provide the following information:
 - a. Identify all persons and entities with or for whom Isolite transported, brokered, or otherwise arranged for the shipment of hazardous substances, radioactive waste or other wastes to the Site. Your answer should include the name, current address (or most recent address available), telephone number, and contact person for each person or entity identified.
 - b. For each person or entity with or for whom Isolite transported, brokered, or otherwise arranged for the shipment of hazardous substances, radioactive waste or other wastes to the Site, provide:

1. a description of the type and quantity of hazardous substances, radioactive waste, or other waste which you transported or for which you arranged for the transport to the Site or for which you acted as a broker in order to arrange storage, treatment, recycling, reclamation or disposal at the Site.
 2. provide the time period during which you transported or brokered each person's or entity's hazardous substances, radioactive waste or other wastes.
 3. the entity which received the hazardous substances, radioactive waste or other wastes, i.e., Safety Light, Isolite, U.S. Radium, Lime Ridge Industries, USR Industries, USR Metals, Metreal, at the Site or elsewhere;
 4. the type of hazardous substances, radioactive waste or other wastes that were disposed/reclaimed;
 5. the amount of hazardous substances, radioactive waste or other wastes transported/brokered to the Site;
 6. the dates of the pickup/delivery of the hazardous substances, radioactive waste or other wastes;
 7. all documents, including personal and internal company documents and correspondence, regarding the type and amount of hazardous substances, radioactive waste or other wastes transported/brokered to the Site;
 8. the name, title, areas of responsibility, current (or most recent) addresses, and telephone numbers of other parties that have documentation or information pertaining to the transportation/disposal of hazardous substances, radioactive waste or other wastes at the Site.
4. Describe any permits or permit applications and any correspondence between your company and any regulatory agencies regarding the transportation and storage, treatment, recycling, reclamation or disposal of such wastes.
 5. Describe any contracts or correspondence between your company and any other company or entity, including but not limited to Safety Light, Shield Source, Inc., U. S. Radium, Lime Ridge Industries, USR Industries, USR Metals, and Metreal regarding the transportation, storage, treatment, recycling, reclamation or disposal of such hazardous substances at the Site.
 6. Provide copies of all documents (including but not limited to log books, manifests, receipts, and invoices) created or kept by you related to the collection of materials (including, but not limited to, composition and quantity of materials) from customers whose materials were taken to the Site.

All documents and information should be sent to:

Harry R. Steinmetz (3HS62)
U.S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

This required submission of information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Section 3501, et seq.

If you have any questions pertaining to this information requested, please feel free to contact Harry Steinmetz at (215) 814-3161, or have your attorney contact EPA's attorney, Humane Zia, at (215) 814-3454. Technical questions can be directed to the site Remedial Project Manager, Mitch Cron, at 215-814-3286.

ADMINISTRATIVE RECORD

Pursuant to CERCLA Section 113(k), 42 U.S.C. §9613(k), EPA establishes an administrative record that contains documents which form the basis for EPA's decision on the selection of each response action for a site. The administrative record will be available to the public for inspection and comment before any remedy is selected by EPA. A copy of the record is available on the internet at www.epa.gov/arweb, and another copy will be located at the EPA Regional office in Philadelphia.

The factual and legal discussions contained in this letter are intended solely for notification and information purposes. They are not intended to be, and cannot be relied upon, as a final EPA position on any matter set forth herein.

Sincerely,



Karen Melvin, Associate Division Director
Office of Enforcement
Hazardous Site Cleanup Division

- Enclosures:
- 1: Business Confidentiality Claims/Disclosure of Your Response to EPA Contractors and Grantees
 - 2: Definitions
 - 3: List of Contractors That May Review Your Response
 - 4: Ledger Sheets from Safety Light Inc.
 - 5: PRPs Receiving Notice of Potential Liability for the Safety Light Corp. Site

cc: Larry Newcomer (PADEP, Hazardous Sites Cleanup)
Humane Zia (3RC41)
Mitch Cron (3HS22)
Harry Steinmetz (3HS62)
Bob Prince (NRC)
Jeff Whitehead (PADEP, Radiation Protection)

Enclosure 1

Business Confidentiality Claims

You may be entitled to assert a claim of business confidentiality covering any part or all of the submitted information, in the manner described in 40 C.F.R. Section 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with the procedures set forth in 40 C.F.R. Part 2, Subpart B. If a claim of business confidentiality is not asserted when the information is submitted to EPA, EPA may make this information available to the public without further notice to you. You must clearly mark such claimed information by either stamping or using any other such form of notice that such information is a trade secret, proprietary, or company confidential. To best ensure that your intent is clear, we recommend that you mark as confidential each page containing such claimed information.

Disclosure Of Your Response to EPA Contractors and Grantees

EPA may contract with one or more independent contracting firms (See Enclosure 3) to review the documentation, including documents which you claim are confidential business information ("CBI"), which you submit in response to this information request, depending on available agency resources. Additionally, EPA may provide access to this information to (an) individual(s) working under (a) cooperative agreement(s) under the Senior Environmental Employment Program (SEE Enrollees). The SEE program was authorized by the Environmental Programs Assistance Act of 1984 (Pub. L. 98-313). The contractor(s) and/or SEE Enrollee(s) will be filing, organizing, analyzing and/or summarizing the information for EPA personnel. The contractors have signed a contract with EPA that contains a confidentiality clause with respect to CBI that they handle for EPA. The SEE Enrollee(s) is working under a cooperative agreement that contains a provision concerning the treatment and safeguarding of CBI. The individual SEE enrollee has also signed a confidentiality agreement regarding treatment of CBI. Pursuant to CERCLA, 42 U.S.C. Section 9604(e)(7) and EPA's regulations at 40 C.F.R. Section 2.310(h), EPA may share such CBI with EPA's authorized representatives which include contractors and cooperators under the Environmental Programs Assistance Act of 1984. (See 58 Fed. Reg. 7187 (1993)). If you have any objection to disclosure by EPA of documents which you claim are CBI to any or all of the entities listed in Enclosure 3, you must notify EPA in writing at the time you submit such documents.

Enclosure 2

Definitions

1. The term "arrangement" shall mean every separate contract or other agreement or understanding between two or more persons, whether written or oral.
2. The term "documents" shall mean writings, photographs, sound or magnetic records, drawings, or other similar things by which information has been preserved and also includes information preserved in a form which must be translated or deciphered by machine in order to be intelligible to humans. Examples of documents include, but are not limited to, electronic mail and other forms of computer communication, drafts, correspondence, memoranda, notes, diaries, statistics, letters, telegrams, minutes, contracts, reports, studies, checks, statements, receipts, summaries, pamphlets, books, invoices, checks, bills of lading, weight receipts, toll receipts, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, interoffice and intra-office communications, notations of any conversations (including, without limitation, telephone calls, meetings, and other communications such as e-mail), bulletins, printed matter, computer printouts, invoices, worksheets, graphic or oral records or representations of any kind (including, without limitation, charts, graphs, microfiche, microfilm, videotapes, recordings and motion pictures), electronic, mechanical, magnetic or electric records or representations of any kind (including, without limitation, tapes, cassettes, discs, recordings and computer memories), minutes of meetings, memoranda, notes, calendar or daily entries, agendas, notices, announcements, maps, manuals, brochures, reports of scientific study or investigation, schedules, price lists, data, sample analyses, and laboratory reports.
3. The term "hazardous substance" means (a) any substance designated pursuant to section 1321(b)(2)(A) of Title 33 of the U.S. Code, (b) any element, compound, mixture, solution, or substance designated pursuant to section 9602 of CERCLA, (c) any hazardous waste having the characteristics identified under or listed pursuant to section 3001 of the Solid Waste Disposal Act (42 U.S.C. Section 6921) (but not including any waste the regulation of which under the Solid Waste Disposal Act (42 U.S.C. Section 6901 et seq.) has been suspended by Act of Congress), (d) any toxic pollutant listed under section 1317(a) of Title 33, (e) any hazardous air pollutant listed under section 112 of the Clean Air Act (42 U.S.C. Section 7412), and (f) any imminently hazardous chemical substance or mixture with respect to which the Administrator has taken action pursuant to section 2606 of Title 15 of the U.S. Code. The term does not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under subparagraphs (a) through (f) of this paragraph, and the term does not include natural gas, natural gas liquids, liquefied natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas).
4. The term "pollutant or contaminant" shall include, but not be limited to, any element, substance, compound, or mixture, including disease-causing agents, which after release into the environment and upon exposure, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including

malfunctions in reproduction) or physical deformations in such organisms or their offspring, except that the term "pollutant or contaminant" shall not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under CERCLA, and shall not include natural gas, liquefied natural gas, or synthetic gas of pipeline quality (or mixtures of natural gas and such synthetic gas).

5. The term "release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant), but excludes (a) any release which results in exposure to persons solely within a workplace, with respect to a claim which such persons may assert against the employer of such persons, (b) emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, vessel, or pipeline pumping station engine, (c) release of source, byproduct, or special nuclear material from a nuclear incident, as those terms are defined in the Atomic Energy Act of 1954 (42 U.S.C. Section 2011 et seq.), if such release is subject to requirements with respect to financial protection established by the Nuclear Regulatory Commission under section 170 of such Act (42 U.S.C. Section 2210), or, for the purposes of section 9604 of CERCLA or any other response action, any release of source byproduct, or special nuclear material from any processing site designated under sections 7912(a)(1) or 7942(a) of CERCLA, and (d) the normal application of fertilizer.
6. The term "waste" or "wastes" shall mean and include any discarded materials including, but not limited to, trash, garbage, refuse, by-products, solid waste, hazardous waste, hazardous substances, pollutants or contaminants, and discarded or spilled chemicals, whether solid, liquid, or sludge.
7. The term "you" when referring to an incorporated entity shall mean and include the incorporated entity and its agents and representatives, including, but not limited to, persons directly authorized to transact business on the entity's behalf such as officers, directors, or partners with which the entity is affiliated, employees, accountants, engineers, or other persons who conduct business on the entity's behalf, as well as affiliated entities, including, but not limited to, partnerships, limited liability companies, divisions, subsidiaries, holding companies.

Enclosure 3
List of Contractors That May Review Your Response

- Chenega Integrated Systems, LLC
Contract # EP-S3-04-01
Subcontractors:
 - Tetra Tech EM, Inc.
Contract #68-S3-0002
Subcontractor:
 - Eagle Instruments, Inc.
- Ecology and Environment, Inc.
Contract #68-S3-0001
Subcontractor:
 - S & S Engineers, Inc.
- IT Corporation
Contract #68-S3-00-06
Subcontracts:
 - Weavertown Environmental Group
Environmental Restoration Company
- Earth Tech, Inc.
Contract #68-S3-00-07
Subcontractors:
 - Industrial Marine Services, Inc.
 - Cline Oil
 - Hertz Equipment Rental
- CDM-Federal Programs Corporation
Contract #68-S7-3003
Subcontractors:
 - Tetra Tech EM, Inc.
 - Robert Kimball & Associates
 - PMA & Associates
 - Home Engineering
 - Pacific Environmental Services
- Black and Veatch Waste Science and Technology Corporation/Tetra Tech, Inc.
Contract #68-S7-3002
Subcontractor:
 - Enviro Consultants Group
- Eisenstein Malanchuck, LLP
Contract # EP-W-06-014
Subcontractors:
 - James C. Hermann & Associates
 - R.M. Fields International, LLC
 - McRae & Company, Inc.
- DPRA
Tri-State Enterprise Corporation
- Tech Law, Inc. -
Contract #EP-S4-04-03
- WRS Infrastructure & Environment, Inc. -
Contract # 68-S3-03-02
- Kemron Environmental Services
Contract # 68-S3-03-05
- Industrial Marine Services, Inc.
Contract # 68-S3-03-03
- Guardian Environmental Services, Inc.
Contract # 68-S3-03-04
- Booz-Allen & Hamilton
Contract # GS-10F-0090J (GSA Schedule)
- List of Inter-Agency Agreements
- General Services Administration
CERCLA File Room
Contractor: Booz-Allen & Hamilton
- General Services Administration
Spectron Superfund Site
Brelube Penn Superfund Site
Contractor: Booz-Allen & Hamilton
- List of Cooperative Agreements
- National Association of Hispanic Elderly - #CQ-822511
- AARP Foundation (Senior Environmental Employment) -
#824021
#823952
- National Older Work Career Center, Inc.(NOWCC)- #CQ-830919

Enclosure 5

PRPs Receiving Notice of Potential Liability for the Safety Light Corporation Site

- **USR Industries, Inc.**
- **USR Chemicals Products, Inc.**
- **USR Lighting Products, Inc.**
- **USR Metals, Inc.**
- **U.S. Natural Resources, Inc.**
- **Metreal Corporation**
- **Safety Light Corporation**